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Exhibit 4

Mark C. Mao, CA Bar No. 236165
 Sean P. Rodriguez, CA Bar No. 262437
 Beko Reblitz-Richardson, CA Bar No.
 238027
BOIES SCHILLER FLEXNER LLP
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Tel.: (415) 293-6800
 Fax: (415) 293-6899
 mmao@bsflfp.com
 brichardson@bsflfp.com

James Lee (admitted *pro hac vice*)
 Rossana Baeza (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER LLP
 100 SE 2nd St., 28th Floor
 Miami, FL. 33131
 Tel.: (305) 539-8400
 Fax: (305) 539-1307
 jlee@bsflfp.com
 rbaeza@bsflfp.com

Amanda K. Bonn, CA Bar No. 270891
SUSMAN GODFREY L.L.P
 1900 Avenue of the Stars, Suite 1400
 Los Angeles, CA 90067
 Tel: (310) 789-3100
 Fax: (310) 789-3150
 abonn@susmangodfrey.com

Attorneys for Plaintiffs;
Additional counsel listed in signature blocks below

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHR CASTILLO
 and MONIQUE TRUJILLO, individually and
 on behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

William S. Carmody (admitted *pro hac vice*)
 Shawn Rabin (admitted *pro hac vice*)
 Steven M. Shepard (admitted *pro hac vice*)
SUSMAN GODFREY L.L.P.
 1301 Avenue of the Americas, 32nd Floor
 New York, NY 10019-6023
 Tel.: (212) 336-8330
 Fax: (212) 336-8340
 bcarmody@susmangodfrey.com
 srabin@susmangodfrey.com
 sshepard@susmangodfrey.com

John A. Yanchunis (admitted *pro hac vice*)
 Ryan J. McGee (admitted *pro hac vice*)
MORGAN & MORGAN
 201 N. Franklin Street, 7th Floor
 Tampa, FL 33602
 Tel.: (813) 223-5505
 jyanchunis@forthepeople.com
 rmcgee@forthepeople.com

Michael F. Ram, CA Bar No. 104805
MORGAN & MORGAN
 711 Van Ness Ave., Suite 500
 San Francisco, CA 94102
 Telephone: (415) 358-6913
 Fax: (415) 358-6923
 mram@forthepeople.com

Case No. 5:20-cv-03664-LHK

**PLAINTIFFS' NOTICE OF DEPOSITION
 PURSUANT TO RULE 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, on a date to be agreed upon by the Parties, counsel for Plaintiffs will take the videotaped deposition(s) of the designated representative(s) of Google LLC ("Google") best able to testify as to the Topics set forth in Appendix A. Google has a duty to designate one or more officers, directors, managing agents, or other persons with sufficient knowledge to testify fully regarding the Topics listed in Appendix A. No later than ten business days prior to the deposition, Google shall identify the person(s) who will testify on its behalf pursuant to this notice and the matter(s) about which each person will testify. Google shall also produce to Plaintiffs any documents that Google used or plans to use to prepare the person(s) testifying.

The deposition(s) shall be taken through a mutually agreed upon videoconference program and before a Notary Public or some other officer authorized by law to administer oaths for use at trial. The deposition(s) will be videotaped and will continue from day to day until completed.

Dated: April 27, 2021

BOIES SCHILLER FLEXNER LLP

By: 

Mark C. Mao

Mark C. Mao, CA Bar No. 236165
 Sean P. Rodriguez, CA Bar No. 262437
 Beko Reblitz-Richardson, CA Bar No. 238027
BOIES SCHILLER FLEXNER LLP
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Tel.: (415) 293-6800
 Fax: (415) 293-6899
 mmao@bsfllp.com
 srodriguez@bsfllp.com
 brichardson@bsfllp.com

James Lee (admitted *pro hac vice*)
 Rossana Baeza (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER LLP
 100 SE 2nd Street, 28th Floor
 Miami, FL 33131
 Tel.: (305) 539-8400
 Fax: (305) 539-1307
 jlee@bsfllp.com

1 rbaeza@bsfllp.com

2 William S. Carmody (admitted *pro hac vice*)
3 Shawn Rabin (admitted *pro hac vice*)
4 Steven M. Shepard (admitted *pro hac vice*)
5 Alexander P. Frawley (admitted *pro hac vice*)

SUSMAN GODFREY L.L.P.

6 1301 Avenue of the Americas, 32nd Floor
7 New York, NY 10019-6023

8 Tel.: (212) 336-8330

9 Fax: (212) 336-8340

10 bcarmody@susmangodfrey.com

11 srabin@susmangodfrey.com

12 sshepard@susmangodfrey.com

13 afrawley@susmangodfrey.com

14 Amanda K. Bonn, CA Bar No. 270891

SUSMAN GODFREY L.L.P.

15 1900 Avenue of the Stars, Suite 1400

16 Los Angeles, CA 90067

17 Tel: (310) 789-3100

18 Fax: (310) 789-3150

19 abonn@susmangodfrey.com

20 John A. Yanchunis (admitted *pro hac vice*)

21 Ryan J. McGee (admitted *pro hac vice*)

MORGAN & MORGAN

22 201 N. Franklin Street, 7th Floor

23 Tampa, FL 33602

24 Tel.: (813) 223-5505

25 jyanchunis@forthepeople.com

26 rmcgee@forthepeople.com

27 Michael F. Ram, CA Bar No. 104805

MORGAN & MORGAN

28 711 Van Ness Ave., Suite 500

San Francisco, CA 94102

Telephone: (415) 358-6913

Fax: (415) 358-6923

mram@forthepeople.com

Attorneys for Plaintiffs

APPENDIX A

DEFINITIONS

1. The term “ALL” includes the word “ANY,” and vice versa.

2. The term “CLASS PERIOD” means the time period from June 1, 2016 through the present and ongoing.

3. The terms “CONCERNING” or “RELATING TO” include addressing, analyzing, concerning, constituting, containing, commenting on, discussing, describing, identifying, in connection with, referring to, reflecting, relating, relating to, reporting on, stating, or dealing with, in whole or in part, in addition to their customary and usual meanings, and shall be construed in the broadest sense possible.

4. The term “DOCUMENT” and “DOCUMENTS” shall be synonymous in meaning and equal to the broadest meaning provided by Rule 34 of the Federal Rules of Civil Procedure INCLUDING, without limitation, original and any non-identical copy of every kind of written, printed, typed, recorded, or graphic matter, however produced or reproduced, including all correspondence, letters, telegrams, telexes, messages, memoranda, instructions, emails, handwritten or recorded notes, and all records, schedules, reports, surveys, calculations, transcripts, notes, time cards, personal expense reports, appointment books, calendars, plans, purchase orders, contracts, subcontracts, charts, COMMUNICATIONS, database, data compilation, diary, draft, drawing, electronically stored information, emails, fax, floppy disk, graph, hard drive, image, index, instant message, letter, log, magnetic tape, memorandum, note, optical disk, photograph, report, sound recording, spreadsheet, storage device, text message, version, voicemail or writing. This term shall apply to any DOCUMENT, whether in hard copy or electronic form, on any computers or other system. Any copy of a DOCUMENT that differs in any respect.

5. The term “GOOGLE” means GOOGLE LLC and any of its directors, officers, consultants, agents, representatives, predecessors in interest, subsidiaries, assignees, licensees, employees, attorneys and any other persons acting on GOOGLE LLC’S behalf, including contractors.

- 1 [REDACTED]
- 2 2. Google's ability (regardless of Google's policies) to search for and collect private browsing
- 3 information from the logs, databases, storage systems, and data structures identified in
- 4 Topic 1, including through the use of Google internal databases and tools both by
- 5 individuals at Google and by automated mechanisms.
- 6 3. The origins of the logs, databases, storage systems, and data structures identified in Topic
- 7 1, including how the tools, applications, systems, devices, and products and services that
- 8 generate the logs, databases, storage systems, and data structures have functioned during
- 9 the class period.
- 10 4. Google's retention policies and practices for the logs, databases, storage systems, and data
- 11 structures identified in Topic 1, including any changes during the class period.
- 12 5. Google's preservation for purposes of this litigation of the logs, databases, storage systems,
- 13 and data structures identified in Topic 1, including any changes during the class period.
- 14 6. As referenced and shown in logs, databases, storage systems, and data structures, Google's
- 15 identification and correlation of users, devices, electronic addresses, and any other
- 16 identifiers in connection with web browsing activities, including by the use of identifiers
- 17 decipherable only to Google (e.g., Google's X-Client-Data header, GAIA, [REDACTED]
- 18 [REDACTED] (and similar "twice baked" cookies or crackers))
- 19 and Google processes running on the device and any third party identifiers hosted by
- 20 Google.
- 21 7. How identifiers decipherable only to Google of Topic 6, (e.g., Google's X-Client-Data
- 22 header, GAIA, and [REDACTED] (and similar
- 23 "twice baked" cookies or crackers)), are created, determined, and derived.
- 24 8. As referenced and shown in logs, databases, storage systems, and data structures, how and
- 25 when concurrent Google processes on a device, outside of the user's browser, may interact
- 26 or capture private browsing data, whether directly or indirectly.
- 27 9. As referenced and shown in logs, databases, storage systems, and data structures, how and
- 28 when Google processes attempt to link, correlate, associate, or otherwise join either

1 probabilistically or deterministically data collected from concurrent processes on a device,
2 including in connection with private browsing data.

3 10. How and when concurrent Google processes on a device, outside of the user's browser,
4 may generate logs, database, storage system, and data structure entries that include private
5 browsing data or data derived from private browsing information.

6 11. How data generated by Google's provision of its products and services is logged, stored,
7 and structured by Google, including private browsing data.

8 12. Identification of Google employees with responsibilities tied to Topics 1-11.

PROOF OF SERVICE

I, Vicky L. Ayala, declare:

I am a citizen of the United States and employed in the City and County of San Francisco, CA. I am over the age of 18 and not a party to the within action; my business address is 44 Montgomery St., 41st Floor, San Francisco, CA 94104.

On April 27, 2021, I served the following document(s) described as:

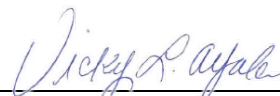
PLAINTIFFS' NOTICE OF DEPOSITION PURSUANT TO RULE 30(b)(6)

- ☐ **BY FACSIMILE TRANSMISSION:** As follows: The papers have been transmitted to a facsimile machine by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he or she has filed in the cause and served on the party making the service. The copy of the notice or other paper served by facsimile transmission shall bear a notation of the date and place of transmission and the facsimile telephone number to which transmitted or be accompanied by an unsigned copy of the affidavit or certificate of transmission which shall contain the facsimile telephone number to which the notice of other paper was transmitted to the addressee(s).
- ☐ **BY MAIL:** As follows: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, CA, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY OVERNIGHT MAIL:** As follows: I am readily familiar with the firm's practice of collection and processing correspondence for overnight mailing. Under that practice, it would be deposited with overnight mail on that same day prepaid at San Francisco, CA in the ordinary course of business.
- ☒ **BY ELECTRONIC MAIL TRANSMISSION:** By electronic mail transmission from vayala@bsflp.com on April 27, 2021, by transmitting a PDF format copy of such document(s) to each such person at the e-mail address(es) listed below their address(es). The document(s) was/were transmitted by electronic transmission and such transmission was reported as complete and without error.

| | | |
|----------------------------|--|--------------------------------|
| 1 2 3 4 | Andrew H. Schapiro (<i>pro hac vice</i>) Quinn Emanuel Urquhart & Sullivan, LLP 191 N. Wacker Drive, Suite 2700 Chicago, IL 60606 Tel: 312-705-7400 Fax: 312-705-7401 andrewschapiro@quinnemanuel.com | <i>Attorney for Defendant</i> |
| 5 6 7 8 9 | Stephen A. Broome Viola Trebicka Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10 th Floor Los Angeles, CA 90017 Tel: 213-443-3000 Fax: 213-443-3100 stephenbroome@quinnemanuel.com violatrebicka@quinnemanuel.com | <i>Attorneys for Defendant</i> |
| 10 11 12 13 14 | Diane M. Doolittle Thao Thai Quinn Emanuel Urquhart & Sullivan, LLP 555 Twin Dolphin Drive, 5 th Floor Redwood Shores, CA 94065 Tel: 650-801-5000 Fax: 650-801-5100 dianedoolittle@quinnemanuel.com thaothai@quinnemanuel.com | <i>Attorneys for Defendant</i> |
| 15 16 17 18 19 | William Burck (<i>pro hac vice</i>) Josef Ansorge (<i>pro hac vice</i>) Quinn Emanuel Urquhart & Sullivan, LLP 1300 I Street NW, Suite 900 Washington, D.C., 20005 Tel: 202-538-8000 Fax: 202-538-8100 williamburck@quinnemanuel.com josefansorge@quinnemanuel.com | <i>Attorneys for Defendant</i> |
| 20 21 22 23 | Jonathan Tse Quinn Emanuel Urquhart & Sullivan, LLP 50 California Street, 22 nd Floor San Francisco, CA 94111 Tel: 415-875-6600 Fax: 415-875-6700 jonathantse@quinnemanuel.com | <i>Attorney for Defendant</i> |

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 27, 2021, at San Francisco, CA.



Vicky L. Ayala